

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X **NOTICE OF MOTION**

DERRICK REDD,

Plaintiffs, 19-CV-2917 (RJD) (TAM)

-against-

THE CITY OF NEW YORK, THE NEW YORK CITY  
POLICE DEPARTMENT, NEW YORK CITY POLICE  
OFFICERS, DETECTIVE EDWARD BALFE,  
DETECTIVE RONALD WALDRON, DETECTIVE  
BILLY MILLAN, POLICE OFFICER FRESNEL AND  
POLICE OFFICER JOHN DOES.

Defendants.

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**PLEASE TAKE NOTICE** that upon the annexed Local Rule 56.1 Statement, dated May 6, 2022; the Declaration of Brian Francolla, dated May 6, 2022, with exhibits; the Memorandum of Law, dated May 6, 2022; and upon all prior pleadings and proceedings had herein, defendants City of New York, Detective Edward Balfe, Detective Ronald Waldron, Detective Billy Milan and Police Officer Justinah McFadden, on May 6, 2022, will move for summary pursuant to Rule 56 of the Federal Rules of Civil Procedure on the grounds that no genuine issue of material facts exist to warrant a trial with respect to plaintiff claims, and for such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's March 31, 2022 Order, plaintiff's opposition papers, if any, should be served on the undersigned on or before June 6, 2022.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's March 31, 2022 Order, defendants' reply papers, if any, shall be served on plaintiff on or before June 20, 2022.

Dated: New York, New York  
May 6, 2022

**HON. SYLVIA O. HINDS-RADIX**  
CORPORATION COUNSEL OF THE CITY OF NEW YORK  
*Attorney for Defendants*  
100 Church Street  
New York, New York 10007  
(212) 356-3527

/s/  
By: \_\_\_\_\_  
Brian Francolla  
*Senior Counsel*  
Special Federal Litigation Division

cc: Robert Kerrigan, Esq. (By email and ECF)  
Kelly, Grossman & Kerrigan, LLP  
1248 Montauk Highway  
West Islip, New York 11795